

## Subchapter I — Sport Fishing

NR 21.03 Reciprocity, sport fishing or spearing and dip netting. (1) All residents of Wisconsin and Minnesota holding a resident fishing license from their respective states or residents other than Wisconsin and Minnesota holding an angling or sport fishing license issued by either state, may fish in any of the waters of the Mississippi river lying between the Chicago, Burlington Northern railroad tracks on the Wisconsin side of the river and the Chicago, Milwaukee, St. Paul and Pacific railroad tracks on the Minnesota side of the river, including all sloughs and backwaters, bays and newly-extended water areas connected with the main channel of the Mississippi river by a channel which is navigable at periods when the water is approximately equal to normal pool elevation as created by the U.S. department of the army, and in the waters of Lake St. Croix, and the St. Croix river and the St. Louis river as defined in s. NR 21.02 (16). This reciprocity applies only to sport fishing, spearing, dip netting, and the taking of minnows and crayfish for such fishing. (29.085, 29.16, 227.11)

History: Cr. Register, February, 1979, No. 278, eff. 3-1-79.

NR 21.04 Sport fishing; seasons and limits. All regulations applicable to sport fishing are as follows unless expressly provided elsewhere in this chapter or the law. (23.11, 29.085)

Kind of fish and locality	Open season (both dates inclusive)	Daily bag limit	Minimum length (inches)
<b>(1) LARGEMOUTH AND SMALLMOUTH BASS</b>			
(a) St. Louis river and St. Croix river downstream to the highway #70 bridge	Saturday preceding Memorial Day to March 1	5 in aggregate	12
(b) St. Croix river downstream from the highway #70 bridge to the highway #10 bridge at Prescott	Saturday preceding Memorial Day to March 1.	5 in aggregate	14
(c) Mississippi river	Continuous	5 in aggregate	14
<b>(2) WALLEYE AND SAUGER</b>			
(a) St. Croix river downstream to Prescott	Saturday nearest May 1 to March 1	6 in aggregate	No size limit for sauger, 15 for walleye
(b) Mississippi river, pool 3	Continuous	6 in aggregate	No size limit
(c) Mississippi river except pool 3	Continuous	6 in aggregate	No size limit for sauger, 15 for walleye
(d) St. Louis river	Saturday nearest May 15 to March 1	2 in aggregate	15
<b>(3) NORTHERN PIKE</b>			
(a) St. Croix river downstream to Prescott	Saturday nearest May 1 to March 1	5	No size limit
(b) Mississippi river from Prescott downstream	Continuous	5	No size limit

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Kind of fish and locality	Open season (both dates inclusive)	Daily bag limit	Minimum length (inches)
(c) St. Louis river	Saturday nearest May 15 to March 1	2	No size limit
(4) WHITE OR YELLOW BASS, CRAPPIES, ROCK BASS, SUNFISH OR BLUE-GILLS AND YELLOW PERCH	Continuous	25 of each	No size limit
(5) CATFISH			
(a) St. Louis river and St. Croix river downstream to the highway #10 bridge at Prescott	Continuous	10 in aggregate	No size limit
(b) Mississippi river from Prescott downstream	Continuous	25 in aggregate	No size limit
(6) BULLHEADS	Continuous	No bag limit	No size limit
(7) LAKE STURGEON			
(a) St. Croix and Mississippi rivers	Saturday nearest May 1 to October 31	1 per season	45 inches
(b) St. Louis river	No open season	—	—
(8) SHOVELNOSE STURGEON			
(a) Mississippi river from the Red Wing dam upstream and the St. Croix and St. Louis rivers	Saturday nearest May 1 to October 31	1 per season	45 inches
(b) Mississippi river from the Red Wing dam downstream	Continuous	10	No size limit
(9) PADDLEFISH (SPOON-BILL CATFISH)	No open season	—	—
(10) ROUGH FISH	Continuous	No bag limit	No size limit
(11) MUSKELLUNGE			
(a) St. Croix river and Mississippi river from Prescott downstream	Saturday nearest May 1 to March 1	1	30 inches
(b) St. Louis river	Saturday nearest Memorial Day to March 1	1	36 inches
(12) CRAYFISH (29.415 - new)	May 1 to March 1	No bag limit	No size limit
(13) TROUT AND SALMON St. Louis river	First Saturday in May at 5:00 a.m. to September 30	5 in aggregate of which only 2 may be brown trout exceeding 15 inches and only 1 of which may be rainbow trout	Brook trout 8 brown trout 10 rainbow trout 12 salmon 12
(14) OTHER SPECIES	Inland regulations of adjoining counties as contained in NR 20, apply.		

(15) A person shall not possess or have under control more than the daily bag limit while fishing on the ice or in the waters of the Wisconsin-Minnesota boundary waters. (29.085)

(16) A person shall not possess or have under control more than 2 times the daily bag limit when not on the waters or ice during the open season for each species. (29.085)

History: Cr. Register, February, 1979, No. 278, eff. 3-1-79; am. (7) (a) and cr. (7) (b), Register, December, 1987, No. 384, eff. 1-1-88; am. (1) (a), renum. (1) (b) to be (1) (c), cr. (1) Register, December, 1989, No. 408

(b), Register, November, 1988, No. 395, eff. 12-1-88; emerg. am. (2), (3) and (11), eff. 4-25-89; am. (1) (c), (2) to (4) and (11), renum. (13) to (15) to be (14) to (16), cr. (13), Register, December, 1989, No. 408, eff. 1-1-90.

**NR 21.05 Sale of fish.** (1) Fish, other than rough fish during the open season, taken by hook and line, spear or bow and arrow shall not be sold, purchased, bartered, offered for sale, or under control or in possession for the purpose of sale or barter. (23.11, 29.135, 29.48, 227.11)

(2) Rough fish taken by other than commercial gear may be bought and sold during the open season. A wholesale fish dealer's license is required if such fish are sold to any person other than the final consumer. (23.11, 29.135, 29.48, 227.11)

History: Cr. Register, February, 1979, No. 278, eff. 3-1-79.

**NR 21.06 Sport fishing restrictions.** (1) Except as otherwise expressly provided, only the following methods or manners of fishing shall be lawful. Any person: (29.085)

(a) May fish for fish with no more than 3 hooks, baits or lures.

(b) May use dip nets 3 feet or less in diameter and a gaff only for the purpose of landing fish legally hooked. However, such dip nets may be used to remove winterkilled fish in those areas and at those times designated by the department by posting.

(c) May take, catch, kill or fish for fish by means of trolling from a motor-driven boat, sailboat or other boats.

(d) May take rough fish by means of spear, bow and arrow or dip nets not to exceed 24 inches in diameter or square only from sunrise to sunset from the Saturday nearest April 21 to March 1, except that the use of dip nets not to exceed 24 inches in diameter or square for the taking of rough fish in the St. Croix river downstream to the St. Croix Falls dam is permitted from the Saturday nearest May 15 to June 30 each year.

(e) May only fish with a line or lines while they are attended.

(2) Sorting. Any fish taken and retained in possession that is not released freely into the water immediately after capture shall be considered part of the fisher's bag limit and shall not be released after such possession.

(3) Possession of illegal equipment. No spear, spring gaff or bow and arrow shall be possessed in a fish house (shanty). No person shall have in possession on the water or immediate banks of the water any spear, bow and arrow or similar device except during the open season.

History: Cr. Register, February, 1979, No. 278, eff. 3-1-79; am. (1) (a), Register, December, 1985, No. 360, eff. 1-1-86.

**NR 21.07 Ice fishing shelters.** Buildings, vehicles, tents, fish shanties or similar enclosures may be used on the ice for fishing purposes on the Mississippi river, Lake St. Croix, the St. Croix river and St. Louis river as defined in s. NR 21.02 (16) from the time the ice forms; provided, however, that all such enclosures or shelters shall be removed from the ice on or before March 1 of each year. The door of any such enclosure or shelter must be equipped with a latch which will permit the door to be readily opened from the outside at all times while the enclosure or shelter is occupied. The name and residential address of the person owning such shelter or enclosure must be painted or permanently affixed in the English lan-

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guage on the outside of the structure with lettering a minimum of one inch square. Residents of Wisconsin or Minnesota angling from a fish house shall comply with the law of their respective states relative to licensing and identification of fish houses. Residents of states other than Wisconsin and Minnesota who hold a nonresident fishing license from either state must comply with the law of the issuing state relative to the licensing and identification of fish houses. (29.283, 29.085, 227.11)

History: Cr. Register, February, 1979, No. 278, eff. 3-1-79.

### Subchapter II — Minnows

NR 21.08 Minnow nets and traps. Except as provided in ss. NR 20.09 (2) (g) and (3) and 21.06 (1) (d), no person may take fish other than smelt and shiners with nets or traps in the St. Louis river. Only those minnow seines, minnow dip nets, cast nets, minnow traps or crayfish scoops described below and operated in the manner specified may be used for the taking of minnows: (23.11, 29.137, 29.085)

Type of Gear	Period Gear May Be Used	Specifications	Restrictions
(a) Seine	All year	Seines shall not exceed 50 feet in length and 8 feet in width flat measure and shall not contain mesh which exceeds one-half inch stretch measure.	
(b) Dip Net	All year	Dip nets shall consist of a square or round frame not to exceed 8 feet in diameter or square with netting suspended from it which when lifted makes a bag not to exceed 4 feet deep.	Dip nets may only be used by the method of raising or lowering them in a vertical direction.
(c) Traps	All year	Traps shall not exceed 24 inches in length and 16 inches in diameter with an opening in the throat of the trap no larger than one and one-half inches in diameter.	Traps must have securely attached to them a label or tag bearing the name and address  Traps must be raised and the minnows removed at least once a day between one hour before sunrise and one hour after sunset.
(d) Cast Net	All year	Cast nets shall not exceed 7 feet in diameter or mesh of more than one-half inch stretch measure.	
(e) Crayfish Scoop	All year	A metal frame covered with hardware cloth not to exceed 4 feet in length, 2 feet in width and 18 inches in depth. A handle of any length may be attached.	May be used to harvest crayfish, minnows and dragon fly larva.

History: Cr. Register, February, 1979, No. 278, eff. 3-1-79; emerg. am. (Intro.), eff. 4-25-89; am. (Intro.), Register, December, 1989, No. 408, eff. 1-1-90.

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NR 21.09 Carp as bait. Live carp taken and possessed for the purpose of bait shall only be transported by boat or other floating conveyance while in possession on Wisconsin-Minnesota boundary waters and by vehicle on and including state highway 35 and roads west from Victory, Vernon county to junction with federal highway 63 Pierce county. (23.11, 29.137, 227.11)

History: Cr. Register, February, 1979, No. 278, eff. 3-1-79.

### Subchapter III — Commercial Fishing

NR 21.10 Reciprocity. For the purpose of fishing under a commercial fishing license or taking turtles or tortoises, licensed persons from either Wisconsin or Minnesota shall have the privilege of fishing commercial gear or taking turtles between the banks of the channel of the Mississippi river containing the state line, Lake St. Croix and the St. Croix river. They may land their nets and setlines on the banks. The operation of commercial fishing gear in the bayous and sloughs beyond the banks of the channel of the Mississippi river which contains the state line, or the banks of Lake St. Croix and the St. Louis river as defined in section NR 21.02 (16) shall be limited to the licensed commercial fishers and those persons taking turtles or tortoises in the waters of their state of license only. (29.085, 29.16)

History: Cr. Register, February, 1979, No. 278, eff. 3-1-79.

NR 21.11 Commercial fishing restrictions. (1) All commercial fishing in the Wisconsin-Minnesota boundary waters shall be conducted in accordance with this chapter, all other applicable statutes and rules, and the following:

(a) All game fish taken with any net or setline must be immediately returned to the water as soon as they appear in the operation. (29.085, 29.30, 227.014)

(b) All commercial fishers must obtain a license issued pursuant to ss. 29.34, 29.343 or 29.37, Stats., before conducting commercial fishing operations.

(c) Measurement of mesh size is by stretch measure. Such measurements apply to net meshes when in use and no allowance will be made for the shrinkage due to any cause. (29.085, 29.30, 29.336)

(d) There are no bag limits for any commercial species other than are expressly provided in this chapter. (29.085)

(e) Improperly placed or tagged commercial fishing gear is considered contraband and will be seized and held subject to order of the court. (23.11, 29.03, 29.085, 29.34, 29.343, 29.37)

(f) Nets of any kind or setlines shall not be set, lifted, hauled or operated in any manner between 1/2 hour after sunset and one hour before sunrise of the following day, except for the purpose of completing a seine haul with the permission of the supervisor, nor shall any net be used in a drifting manner. (29.085)

(g) A licensed commercial fisher or any member of the crew or any person in or on the boat shall not have in possession any game fish while operating licensed commercial gear or when traveling to or from the operation of such gear while on the waters. (29.085, 29.30)

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(h) Commercial fishing gear not authorized for use in the Wisconsin-Minnesota boundary waters by this chapter shall not be in possession or under control while on those waters or engaged in a fishing operation involving those waters. (29.085)

(i) All fishers licensed under the provisions of ss. 29.34 and 29.37, Stats., must complete and submit monthly reports on forms available from the department. All reports must be submitted by the 10th of the month following each month fished. (23.11, 29.34, 29.37)

(j) Rough fish taken by commercial gear shall not be returned to the waters but must be lawfully disposed of. (23.11, 29.30)

(k) Commercial fish taken by commercial gear pursuant to this chapter may be sold by the commercial fisher. (23.11, 29.135)

(l) Metal identification tags will be furnished by the department at a cost of 25 cents per tag, unless they are for a buffalo, frame, slat or trammel net where the cost is 50 cents per tag. (23.11, 29.34, 29.343, 29.37)

(m) Commercial gear shall not be used or operated at any time in the following waters: within 900 feet below any U.S. corps of engineers lock or dam on the Mississippi river; Lagoon, which is located on Pettibone island within the corporate limits of the city of La Crosse, the closed area to include also the waterway connecting the Lagoon proper with the Mississippi river; Goose lake lying in Pierce county; and the Trempealeau lakes, known as Second, Third and Round lakes, lying in Trempealeau county. (29.085)

(n) Commercial gear unless otherwise specified may not be used or operated in Pool 4, Mississippi river between mile posts 780 and 797 from March 1 through May 31, or in the following closed areas from April 15 to October 30, both dates inclusive: Lake Onalaska; in Pool 7, Mississippi river, more specifically described as all that part east of a line extending from the northernmost tip of French island due north to Brice Prairie, except set lines may be used during the open season as described in s. NR 21.12 (1) (a); the Black river from the Onalaska nine-foot channel dam to the Chicago, Milwaukee, St. Paul and Pacific railroad bridge immediately south of Copeland park in the city of La Crosse; French lake, which is located on French island, lying opposite the city of La Crosse, between the Black river and east channel of the Mississippi river; gravel pit and the entire Bank Slough area from Shelby street in the city of La Crosse southeasterly to where it enters Running Slough. (29.085)

(o) Gill nets may not be used or operated in all backwaters of that portion of Pool 8 of the Mississippi river located north of the Chicago, Milwaukee, St. Paul and Pacific railroad, east of the east channel, south of Smith slough and including French slough as the east boundary from March 1 through April 31 or at any time in the following waters; Black river from the Onalaska nine-foot channel dam to its confluence with the Mississippi river; Joe Lynn slough from the Chicago, Milwaukee, St. Paul and Pacific railroad bridge to its confluence with the Black river; French slough from the Chicago, Milwaukee, St. Paul and Pacific railroad bridge to its confluence with Joe Lynn slough; French lake, which is located on French island lying opposite the city of La Crosse, between the Black river and east channel of the Mississippi river; gravel pit and

the entire Bank Slough area from Seventh street in the city of La Crosse southeasterly to where it enters Running Slough. (29.085)

(p) The department or its agents may require any operator of any commercial fishing gear to cease the fishing operations when the department finds these operations are destructive to game fish or they will endanger any other species of wild animal. (29.085)

(q) The department by its agents, employes or wardens may in the absence of the licensee, at any time, raise any commercial fishing gear with as little damage as may be for inspection. (23.11, 29.30)

(r) The use or operation of all commercial gear except those authorized in this chapter is prohibited in the Wisconsin-Minnesota boundary waters with the exception of such nets as may be authorized by the department. The specifications for the nets operated under contract with the department must be agreed upon between the states of Wisconsin and Minnesota.

History: Cr. Register, February, 1979, No. 278, eff. 3-1-79; am. (1) (n), Register, December, 1981, No. 312, eff. 1-1-82; am. (1) (n) and (o), Register, December, 1989, No. 408, eff. 1-1-90.